

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 545 - SB 1401

March 5, 2019

SUMMARY OF ORIGINAL BILL: Extends, from 21 to 30 days, the time period after an order of protection has been granted, in which a person may apply for a temporary handgun carry permit from the Department of Safety (DOS).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005233): Deletes all language after the enacting clause. Specifies that a person is not in violation of the offense of possessing a weapon in a private building or on a private property that is properly posted to prohibit weapons, if that person:

- Is a handgun carry permit holder;
- Enters the building or property with the reasonable belief that the person is entitled to possess a fire are in that building or on that property; and
- Immediately leaves upon becoming aware of the posting.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-17-1359, it is a Class B misdemeanor, punishable only by a fine of \$500, to possess a weapon in a building or on a property that is properly posted to prohibit weapons.
- According to information provided by the Administrative Office of the Courts, there have been zero convictions under this statute in the past five years.
- Clarifying that a person is not in violation of such an offense, if that person is a handgun carry permit holder, enters with the reasonable belief that they are entitled to possess a firearm in that private building or on that private property, and immediately leaves upon becoming aware of the posting will not result in a significant fiscal impact to state or local government.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/jmg